



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/068,523	02/05/2002	Eng C. Cheah	9818-066-999	9901
20583	7590	10/03/2003	EXAMINER	
PENNIE AND EDMONDS 1155 AVENUE OF THE AMERICAS NEW YORK, NY 100362711			WILLIAMS, ALEXANDER O	
		ART UNIT	PAPER NUMBER	
		2826		

DATE MAILED: 10/03/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/068,523	CHEAH ET AL.
	Examiner	Art Unit
	Alexander O Williams	2826

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 03 July 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1 and 6-22 is/are pending in the application.
- 4a) Of the above claim(s) 12-22 is/are withdrawn from consideration.
- 5) Claim(s) 6-11 is/are allowed.
- 6) Claim(s) 1 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ . |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ . | 6) <input type="checkbox"/> Other: _____ . |

Application/Control Number: 10/068,523
Art Unit: 2826

Page 2

Serial Number: 10/068523 Attorney's Docket #: 9818-066-999
Filing Date: 2/5/02;

Applicant: Cheah et al.

Examiner: Alexander Williams

Applicant's Response in Paper # 13, filed 7/3/03, has been acknowledged.

Claims 2-5 have been canceled.

This application contains claims 12 to 22 drawn to an invention non-elected with traverse in Paper No. 7. A complete response to the final rejection must include cancellation of non-elected claims or other appropriate action (see 37 CFR § 1.144 & MPEP § 821.01).

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipating by Dishongh et al. (U.S. Patent # 6461,891 B1).

For example, in claim 1, Dishongh et al. (figures 1 to 11) specifically **figure 11** show a ball grid array package **60** comprising: a substrate **38** having a first and second sides; an integrated circuit device **40** attached to said first side of said substrate; a metal cap **10** having a side wall portion and a top portion forming an internal cavity, wherein said metal cap is attached to said first side of said substrate along a peripheral portion

of said first side so that said integrated circuit device is within said internal cavity; and an epoxy encapsulant material **52** filling a substantial portion of said internal cavity, and said epoxy encapsulant material being in contact with both said integrated circuit device and said top portion of said metal cap, wherein said metal cap is constructed from a material selected from copper (**see column 2, lines 2, lines 57-63**).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

Claim 1 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Shishido et al. (U.S. Patent # 6,562,662 B2).

For example, in claim 1, Shishido et al. (figures 1 to 9) specifically **figure 9** show a ball grid array package **70** comprising: a substrate **12** having a first and second sides; an integrated circuit device **14** attached to said first side of said substrate; a metal cap **6** having a side wall portion and a top portion forming an internal cavity, wherein said metal cap is attached to said first side of said substrate along a peripheral portion of said first side so that said integrated circuit device is within said internal cavity; and an

epoxy encapsulant material 13 filling a substantial portion of said internal cavity, and said epoxy encapsulant material being in contact with both said integrated circuit device and said top portion of said metal cap. Shishido et al. fails to show the metal cap is constructed from a material from one of copper, aluminum, or alloys thereof. However, does discloses that is formed of a kind of metal or alloy that has low thermal resistance, in which the characteristics of copper, aluminum, or alloy thereof carry (see column 5, lines 40-55).

Therefore, it would have been obvious to one of ordinary skill in the art to use the teaching of Shishido et al.'s heat spreader to teach the metal cap claimed by Applicant for the purpose of reducing warpage and deformation of such structures caused by a change in temperature.

Claims 6 to 11 are allowable over the prior art of record.

Response

Applicant's arguments filed 7/3/03 have been fully considered, but are moot in view of the new grounds of rejections detailed above.

The listed references are cited as of interest to this application, but not applied at this time.

Field of Search	Date
U.S. Class and subclass: 257/704,710,712,713,675,784,786- 795,737,738,734,667,668,680,774,778,780	8/7/02 2/22/03 9/18/03
Other Documentation: foreign patents and literature in 257/704,710,712,713,675,784,786- 795,737,738,734,667,668,680,774,778,780	8/7/02 2/22/03 9/18/03
Electronic data base(s): U.S. Patents EAST	8/7/02 2/22/03 9/18/03

Papers related to this application may be submitted to Technology Center 2800 by facsimile transmission. Papers should be faxed to Technology Center 2800 via the Technology Center 2800 Fax center located in Crystal Plaza 4-5B15. The faxing of such papers must conform with the notice published in the Official Gazette, 1096 OG 30 (November 15, 1989). The Technology Center 2800 Fax Center number is (703) 308-7722 or 24. Only Papers related to Technology Center 2800 APPLICATIONS SHOULD BE FAXED to the GROUP 2800 FAX CENTER.

Any inquiry concerning this communication or any earlier communication from the examiner should be directed to **Examiner Alexander Williams** whose telephone number is (703) 308-4863.

Any inquiry of a general nature or relating to the status of this application should be directed to the **Technology Center 2800 receptionist** whose telephone number is (703) 308-0956.

9/19/03



Primary Examiner
Alexander O. Williams